



# Rapid City Planning Commission

## Vacation of Right-of-Way Project Report

### July 9, 2015

Applicant Request(s)
Case # 15VR009 – Vacation of Right-of-Way for a portion of East Boulevard North
Companion Case(s) #: 15VR004, 15VR005, 15VR006, 15VR007, and 15VR008, Vacation of Right-of-Way requests for East Boulevard North

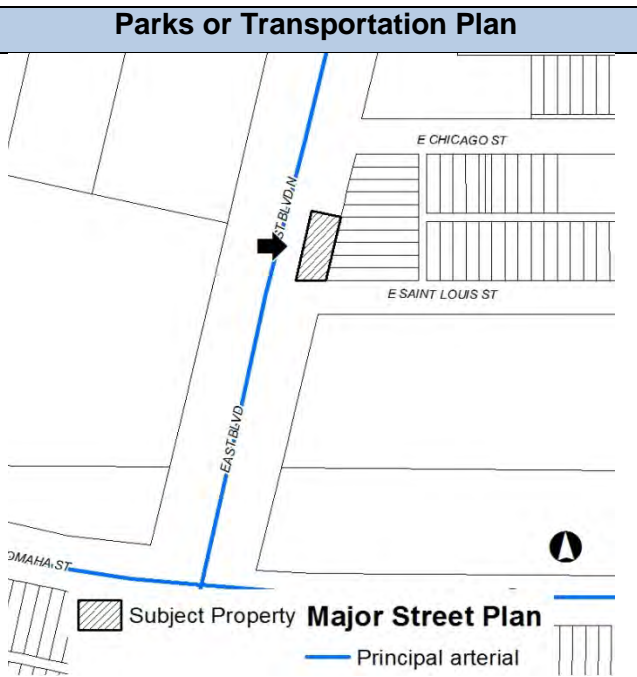
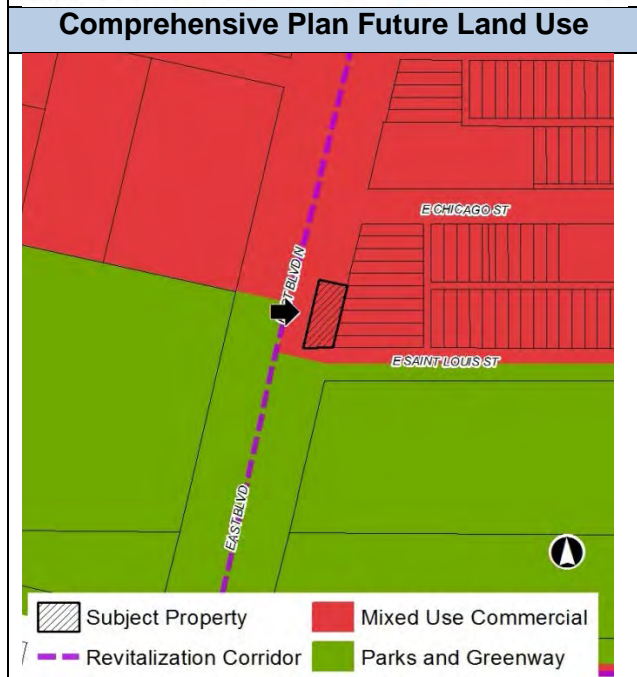
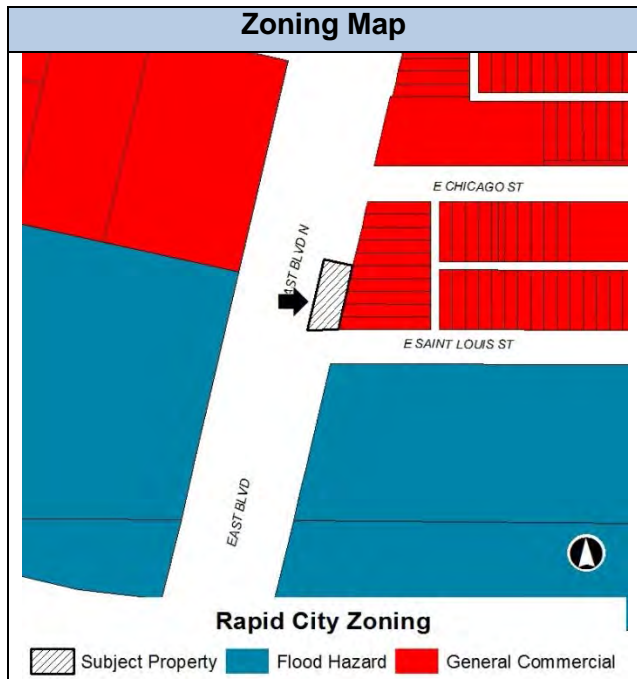
Development Review Team Recommendation(s)
<b>The Development Review Team recommends that the Vacation of Right-of-Way request be approved.</b>

Project Summary Brief
The applicant has submitted this Vacation of right-of-way application in addition to five associated Vacation of Right-of-Way application for portions of the East Boulevard North Right-of-Way between East Philadelphia Street and East Saint Louis Street. This particular Vacation request is for property located northeast of the intersection of East Boulevard North and East Saint Louis Street. The area that the applicant is proposing to vacate is part of an upcoming Rapid City Public Works project for the reconstruction of the East Boulevard North/East North Street corridor.

Applicant Information	Development Review Team Contacts
Applicant: Rapid City Public Works	Planner: Robert Laroco
Property Owner: City of Rapid City	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: KLJ	School District: N/A
Surveyor: William Phillips, KLJ	Water/Sewer: Dan Kools
Other: City Project Engineer, Todd Peckosh	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	Northeast of the intersection of East Boulevard North and East Saint Louis Street
Neighborhood	North Rapid Neighborhood
Subdivision	Blake's Addition
Land Area	7,366 square feet
Existing Buildings	No structural development. Currently part of the East Boulevard North/East North Street right-of-way
Topography	Level
Access	N/A
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ Montana Dakota Utilities
Floodplain	None identified
Other	N/A

Subject Property and Adjacent Property Designations				
	Existing Zoning	Comprehensive Plan		Existing Land Use(s)
Subject Property	N/A	MUC, corridor	Revitalization	East Boulevard North Right-of-Way
Adjacent North	Right-of-Way, GCD	MUC, corridor	Revitalization	East Boulevard North Right-of-Way, commercial//retail/services
Adjacent South	Right-of-Way, GCD	MUC, corridor	Revitalization	East Boulevard North Right-of-Way, commercial//retail/services
Adjacent East	GCD	MUC, corridor	Revitalization	commercial//retail/services
Adjacent West	N/A	MUC, corridor	Revitalization	East Boulevard North Right-of-Way, commercial//retail/services










Relevant Case History			
Case/File#	Date	Request	Action
N/A	N/A	N/A	N/A
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	No minimum required	7,366 sq ft	
Lot Frontage	No minimum required	N/A	
Maximum Building Heights	4 stories/45 feet	N/A	
Maximum Density	75%	N/A	
Minimum Building Setback:			
• Front	25 feet	N/A	
• Rear	N/A	N/A	
• Side	N/A	N/A	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	N/A	N/A	
• # of ADA spaces	N/A	N/A	
Signage	N/A	N/A	
Fencing	N/A	N/A	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 16.08.120.E of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to Vacate right-of-way:	
Criteria	Findings
1. The vacation serves the interest of the City by removing maintenance or liability risks.	The applicant is proposing to vacate a portion of East North Street, which is identified as a principal arterial street on the City's Major Street Plan. The proposed vacation will maintain approximately 156 feet width of right-of-way. Rapid City Public Works has indicated that the requested Vacation is part of the East Boulevard North/East North Street Reconstruction Project. Portions of the East North Street/East Boulevard North Right-of-way are serving as frontage road for the East North/East Boulevard North corridor and are being utilized by adjacent property owners as parking and circulation for the businesses. The Vacation will alleviate the City from responsibility to maintain the frontage road.
2. The property interest being vacated is no longer necessary for City operations.	Rapid City Public Works staff has reviewed this and the associated Vacations and have noted their support of the request.
3. The land to be vacated is no longer necessary for the public use and convenience.	The submitted application includes a utility easement, a temporary construction easement, and a public access easement which will all be dedicated immediately following the Vacation of the right-of-way. The land being vacated will continue to be functional for public use and convenience.
4. The vacation will not create any landlocked properties.	The proposed Vacation of Right-of-Way will not create any landlocked properties.

5. The vacation will not render access to any parcel inaccessible.	Access to the adjacent parcel will still be maintained along East Boulevard North and East Saint Louis Street.
6. The vacation will not reduce the quality of public services to any parcel of land.	A utility easement and public access easement are being maintained on the property. The Vacation is part of an ongoing East North Street/East Boulevard North Reconstruction Project. The vacation does not reduce the quality of public services to any parcel of land.

**Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial**  
**In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:**

**Comprehensive Plan Conformance – Core Values Chapters**

	<b>A Balanced Pattern of Growth</b>
BPG-1.2A	<u>Priority Infill Areas</u> : The proposed Vacations are a part of the East North Street/East Boulevard North Reconstruction Project. The requested Vacations will serve as a means of maximizing infrastructure investments in an identified Revitalization corridor.
	<b>A Vibrant, Livable Community</b>
LC-3.1C	<u>Compatible Infill and Redevelopment</u> : The proposed Vacations promote the redevelopment of the East North Street/East Boulevard North revitalization corridor.
	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
N/A	N/A
	<b>Efficient Transportation and Infrastructure Systems</b>
TI-2.1A	<u>Major Street Plan Integration</u> : East North Street/East Boulevard North is identified as a Principal Arterial Street on the City's Major Street Plan requiring a minimum of 100 feet of right-of-way. The proposed Vacation maintains a right-of-way width of approximately 156 feet.
	<b>Economic Stability and Growth</b>
EC-1.1B	<u>Public Improvements</u> : The East Boulevard North/East North Street Reconstruction Project is a part of the ongoing effort to identify, prioritize, and assist with targeted public improvements to support new business development and attraction in Rapid City.
	<b>Outstanding Recreational and Cultural Opportunities</b>
N/A	N/A
	<b>Responsive, Accessible, and Effective Governance</b>
GOV-2.1A	<u>Public Input Opportunities</u> : The requested Vacation of Right-of-Way application

	is before the Planning Commission for review and approval and will go before the City Council for review and approval. The public has an opportunity to provide input at these meetings.
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<b>Comprehensive Plan Conformance – Growth and Reinvestment Chapter</b>	
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<b>Future Land Use Plan Designation(s):</b>	<b>Mixed Use Commercial, Revitalization corridor</b>
<b>Design Standards:</b>	
GDP-MU7	<u>Rehabilitation of Existing Activity Centers and Corridors:</u> The proposed Vacation will incorporate the existing rights-of-way into the adjacent property to the east. However, at this time no additional improvements are being proposed by the adjacent property owners on the property. It should be noted that at the time that redevelopment of this property does take place, landscaping and pedestrian linkages in compliance with the Revitalization Corridor objectives identified in the Comprehensive Plan should be prioritized.

<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
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<b>Neighborhood:</b>	<b>North Rapid Neighborhood</b>
<b>Neighborhood Goal/Policy:</b>	
NR-NA1.1A	<u>Reinvestment Areas:</u> The proposed Vacation reinforces the City's emphasis on reinvestment and redevelopment in the North Rapid Neighborhood, specifically in the East North Street/East Boulevard North Revitalization corridor.

<b>Findings</b>
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Staff has reviewed the Vacation of Right-of-Way request pursuant to Chapter 16.08.120.E of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The proposed Vacation of Right-of-Way maintains the minimum required right-of-way width for an Arterial Street and staff has noted that the Vacation is a part of a larger revitalizations and redevelopment project for the East North Street/East Boulevard North corridor.
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<b>Planning Commission Recommendation and Stipulations of Approval</b>
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Staff recommends that the Vacation of Right-of-Way be approved.
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